

EXHIBIT A

TO THE COMPLAINT



OFFICE OF THE ATTORNEY GENERAL
CONSUMER PROTECTION DIVISION

REQUEST TO EXAMINE

To: Jolt Initiative, Incorporated
P.O. Box 4185
Austin, Texas 78765
c/o Gloria Gonzalez-Dholakia *Via Process Server*
Registered Agent
10304 James Ryan Way
Austin, Texas 78730

Jolt Initiative, Incorporated *Via Process Server*
c/o Board Vice Chair Daniela Rubio
7106 Geneva Drive
Austin, Texas 78723

Re: The Office of the Attorney General's Examination of Jolt Initiative, Incorporated

The Office of the Attorney General, as the representative of the public's interest, has authority to examine any record of a filing entity or foreign filing entity within the meaning of the Texas Business Organizations Code. Tex. Bus. Org. Code § 12.151. Such examination of records may be undertaken in accordance with an investigation under Texas Business Organizations Code Section 12.153 to determine whether a Texas-registered entity's conduct violates its governing documents or any laws of this state.

Jolt Initiative, Incorporated ("Jolt") is a filing entity within the meaning of the Texas Business Organizations Code. Pursuant to this office's specific authority under Texas law, including Texas Business Organizations Code Section 12.151, *et seq.*, the Office of the Attorney General is issuing this Request to Examine (RTE) instructing that Jolt permit the Office of the Attorney General to examine and make copies of or otherwise produce the records set forth in Attachment "A." You are to make available the records described in Attachment "A" to the undersigned Assistant Attorney General or other authorized agent(s). The records may be sent electronically or by certified mail to the Office of the Attorney General, 300 W. 15th. Street, 9th Floor, Austin, TX 78701, and are due on **September 19, 2024**. If providing records electronically, please provide them to Rozanne Lopez at Rozanne.Lopez@oag.texas.gov.

Please contact one of the persons listed below upon receipt to discuss the logistics of producing the requested documents to the Office of the Attorney General.

NOTICE OF RIGHTS AND PENALTIES

TAKE NOTICE THAT you are encouraged to meet and confer with the Office of the Attorney General if you contend that any of the information sought in Exhibit A is constitutionally protected or otherwise legally exempt from production to the Office of the Attorney General.

If you cannot reach agreement with the Office of the Attorney General on the scope of documents sought, you may attempt to obtain judicial review of the RTE before **September 19, 2024** through a “suit for a declaratory judgment,” *Humble Oil & Refining Company v. Daniel* 259 S.W.2d 580, 588 (Tex.App.—Beaumont 1953) (writ ref’d N.R.E.), or a suit for injunctive relief, *City of Elsa v. M.A.L.*, 226 S.W.3d 390, 392 (Tex. 2007).

In such a suit, the Office of the Attorney General will not dispute the availability of judicial review.

TAKE FURTHER NOTICE THAT penalties for a legally unexcused failure or refusal to timely produce records for the Attorney General’s examination include the Office of the Attorney General initiating a legal action for the entity’s “registration or certificate of formation” to “be revoked or terminated.” Tex. Bus. Org. Code § 12.155. If the Office of the Attorney General deems such penalty warranted, proceedings to revoke or terminate an entity’s registration or certificate of formation are initiated through a petition for leave to file an information in the nature of quo warranto. Tex. Civ. Prac. & Rem. Code § 66.002. In such a proceeding, the registered entity is “entitled to” the same rights “as in cases of trial in civil cases.” Tex. R. Civ. P. 781.

ISSUED THIS 30th day of August 2024.

/s/ David Shatto

DAVID SHATTO

Assistant Attorney General

Consumer Protection Division, OAG

T: (512) 475.4656 | F: (512) 370.9125

David.Shatto@oag.texas.gov

Other Authorized Agents:

Rozanne Lopez, Investigator

Consumer Protection Division, OAG

T: (210) 284.5295

Rozanna.Lopez@oag.texas.gov

ATTACHMENT "A"

Instructions

1. **Read These Instructions/Definitions Carefully.** Your production must comply with these instructions and definitions.
2. **Duty to Preserve Documents.** All documents and/or other data which relate to the subject matter or requests of this RTE must be preserved. *Any ongoing, scheduled, or other process of document or data destruction involving such documents or data must cease even if it is your normal or routine course of business for you to delete or destroy such documents or data and even if you believe such documents or data are protected from discovery by privilege or otherwise.* Failure to preserve such documents or data may result in legal action and may be regarded as spoliation of evidence under applicable law.
3. **Relevant Dates.** Unless otherwise noted, the requests in this RTE require production of documents from June 1, 2024, to the date of the production of documents in response to this RTE, herein called "the relevant time period."
4. **Custody and Control.** In responding to this RTE, you are required to produce not only all requested documents in your physical possession, but also all requested documents within your custody and control. A document is in your custody and control if it is in the possession of another person and you have a right to possess that document that is equal or superior to that other person's right of possession. On the rare occasion that you cannot obtain the document, you must provide an explanation as to why you cannot obtain the document which includes the following information:
 - a. the name of each author, sender, creator, and initiator of such document;
 - b. the name of each recipient, addressee, or party for whom such document was intended;
 - c. the date the document was created;
 - d. the date(s) the document was in use;
 - e. a detailed description of the content of the document;
 - f. the reason it is no longer in your possession, custody, or control; and
 - g. the document's present whereabouts.

If the document is no longer in existence, in addition to providing the information indicated above, state on whose instructions the document was destroyed or otherwise disposed of, and the date and manner of the destruction or disposal.

5. **Non-identical Copies to be Produced.** Any copy of a document that differs in any manner, including the presence of handwritten notations, different senders or recipients, etc. must be produced.
6. **Redaction.** All unprivileged materials or documents produced in response to this RTE

shall be produced in complete unabridged, unedited, and unredacted form, even if portions may contain information not explicitly requested, or might include interim or final editions of a document. Privileged information must be handled in accordance with Instruction Number 9, below.

7. **Document Organization.** Each document and other tangible thing produced shall be clearly designated as to which request, and each sub-part of a request, that it satisfies. The documents produced shall be identified and segregated to correspond with the number and subsection of the request.

8. **Production of Documents.** You may submit photocopies (with color photocopies where necessary to interpret the document) in lieu of original hard-copy documents if the photocopies provided are true, correct, and complete copies of the original documents. If the requested information is electronically stored information, it shall be produced in electronic form. Electronically stored information shall be produced with the accompanying metadata, codes, and programs necessary for translating it into usable form, or the information shall be produced in a finished usable form. For any questions related to the production of documents you may consult with the Office of the Attorney General representatives above.

9. **Privilege Log.** For each Document and any other requested information that you assert is privileged or for any other reason excludable from production, please provide a privilege log, wherein you:

- a. Identify that Document and other requested information;
- b. State each specific ground for the claim of privilege or other ground for exclusion and the facts supporting each claim of privilege or other ground for exclusion;
- c. State the date of the Document or other requested information; the name, job title, and address (including city, state and ZIP Code) of the person who prepared it; the name, address (including city, state, and ZIP Code), and job title of the person to whom it was addressed or circulated or who saw it; and the name, job title, and address (including city, state, and ZIP Code) of the person now in possession of it; and
- d. Describe the type and subject matter of the Document or other requested information.

Definitions

1. **“You,” “your,” “Jolt”** means Jolt Initiative, Inc., their past and present officers, employees, agents and representatives, parents and predecessors, divisions, subsidiaries, affiliates, partnerships and joint ventures, and includes all persons and entities acting or purporting to act under the guidance or on behalf of any of the above. The terms “subsidiary,” “affiliate,” and “joint venture” refer to any firm in which there is total or partial ownership (25 percent or more) or control between the company and any other person or entity.
2. The words **“and”** and **“or”** shall be construed either conjunctively or disjunctively as required by the context to bring within the scope of the request, any document(s) that might be deemed outside its scope by another construction.
3. **“Concerning”** or **“Relating to”** or **“Related to”** means related to, referring to, pertaining to, concerning, describing, regarding, evidencing, or constituting.
4. **“Document”** shall be construed in the broadest sense possible and encompasses any electronically stored information, writings, drawings, graphs, charts, photographs, sound recordings, images, and other data or data compilations—stored in any medium from which information can be obtained either directly or, if necessary, after translation by Spirit into a reasonably usable form. Although it does not limit the scope of this RTE, the definition and interpretation of “document” under the Texas Rules of Civil Procedure provides a useful reference point.
5. **“Entity”** means legal or business entity of any kind and includes, without limitation, corporations, partnerships, joint ventures, associations, governmental bodies, and trusts.
6. **“Including”** means including, but not limited to.
7. **“Person”** means any natural person or any legal entity, including, without limitation, any corporation, company, limited liability company or corporation, partnership, limited partnership, association, or firm.

Documents to be Produced

In accordance with the requirements set forth in the “Definitions” and “Instructions” sections of this RTE, you are specifically instructed to produce the following:

By September 19, 2024:

1. Each of Your volunteer deputy registrars’ certificates of appointment.
2. All Documents Jolt provides to your volunteer deputy registrars Concerning the voter registration application process.
3. All Documents Jolt provides to your volunteer deputy registrars Concerning Your role in the voter registration application process.
4. Each of the completed registration receipts created pursuant to Texas Election Code § 13.040 and maintained by You.